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322814915 US on July 31, 2003.

Bridget M. Stroh
Name

Bridget M. Stroh
Signature

Case CM2500MC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Louis John Viltro :
Serial No.: : Group Art Unit:
Filed: July 31, 2003 : Examiner:
For: Process For Making Pouches :
:
:

DECLARATION OF FACTS IN SUPPORT OF
FILING ON BEHALF OF OMITTED INVENTOR (37 CFR 1.47)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This declaration is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the omitted inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This declaration is being made by the available person having first-hand knowledge of the facts recited therein.

The above entitled application is being filed simultaneously to this Declaration of Facts on July 31, 2003 by The Procter & Gamble Company. It was determined that Gregory Martin Gressel, a former employee of the Company, was an inventor in this application. Gregory Martin Gressel ended his employment with Procter & Gamble between the time of the provisional filing date of 1/31/2001 and filing date herein of 7/31/2003.

DETAILS OF EFFORTS TO REACH OMITTED INVENTOR

In early May, 2003, I began to prepare documents necessary to file this application in the United States Patent Office under 35 USC §120. At such time I surmised that Gregory Martin Gressel had terminated his employment with The Procter & Gamble Company (P&G) based upon information obtained from two, separate databases within P&G. I was able to verify through an internet-based name and address directory that an address of 650 Flagstaff Drive, Cincinnati, Ohio 45215 for Gregory Martin Gressel was correct. On May 21, 2003, I caused to be delivered to Mr. Gressel, via Federal Express to 650 Flagstaff Drive, Cincinnati, Ohio 45215, a package containing documents and a letter (copy attached) requesting that he sign and return such documents. A pre-paid Federal Express mailer for return of the documents was also provided. Having had no response from Mr. Gressel as of June 23, 2003 I requested tracking information for the said May 21, 2003 shipment which verified that the package was delivered and signed for on May 22, 2003 at 2:11 p.m. (see attached copy of email). On June 24, 2003 I sent a second letter to Mr. Gressel, via first class U.S. Mail, again requesting his cooperation in executing the documents (copy attached). Again, Mr. Gressel failed to respond in any way.

It is submitted that a diligent effort was made to contact Gregory Martin Gressel and request his cooperation in executing certain documentation relative to the patent application herein and it would appear that Mr. Gressel was successfully contacted. Mr. Gressel has, however, refused such cooperation evidenced by his failure to respond.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: 

Bridget M. Strobl

Date: 

State of Ohio)

) ss.

County of Hamilton)

Sworn & subscribed to before me, a notary public, by the said Bridget M. Strobl, who is personally known to me, this 31st day of July, 2003.



NOREEN PIERANI

Notary Public, State of Ohio

My Commission Expires

January 3, 2006

Notary Public

Customer No. 27752

Declaration of Facts-Omitted Inventor.1.47.doc